



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** May 23, 2017

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

### 1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Rourke).

C. Leahy requested moment of silence in darkened chamber for victims of the Manchester England terrorist attack.

Mayor Kennedy presiding.

C. Leahy requested that Item #9.6 be taken out of order with no objections. So voted.

### 2. CITY CLERK

#### 2.1. Minutes of Finance SC May 16th; City Council Meeting May 16th, for acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Milinazzo. So voted.

### 3. UTILITY PUBLIC HEARING

#### 3.1. Verizon NE - Request installation of underground conduit at Market and Hanover Streets.

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. No remonstrants. Everett Bryan (Verizon) spoke in favor of petition. C. Leahy proposed a substitute motion to delay action until a proposed meeting is attended to address business operations by the utilities in the City. C. Milinazzo noted that the petition is needed to complete bridge project downtown and should not be delayed. C. Elliott noted the need to meet with companies but commented that this project needs to be completed. C. Belanger commented that it was an important project. C. Leahy questioned the bridge project. Lisa Demeo (City Engineer) noted the work that was being done and that needed to be done. C. Leahy withdrew his substitute motion with no objections. **Motion** to refer to Wire Inspector for report and recommendation by C. Belanger, seconded by C. Mercier. So voted.



### **3.2. National Grid/Verizon NE - Request installation of 1 new JO pole located at 174 Jewett Street.**

In City Council, Given 2<sup>nd</sup> Reading. Hearing held. No remonstrants. Dan Boucher (National Grid) spoke in favor of the petition. **Motion** to refer to Wire Inspector for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted.

C. Mercier requested suspension of the rules to discuss the Genesis project moving out of Lowell with no objections. So voted. C. Mercier noted that the City loss a viable business and was not sure of reason why. **Motion** by C. Mercier, seconded by C. Belanger for City Manager prepare a report regarding move of Genesis; including update on the Watermark project as well as information on the Mass Works grants. So voted. C. Belanger noted he was frustrated with the move and the lack of notice. C. Milinazzo requested information regarding Watermark be part of motion response. C. Samaras commented on the Genesis project and changes in scope of the project. C. Elliott noted that the deal was close to ending and he was surprised by the move. Asst. City Manager McGovern noted the snags in the project. C. Leary questioned the Mass Works grants being used on site. Mr. McGovern noted the grants are still intact and they are proceeding with work on the long term project. C. Elliott requested information regarding Mass Works grants be part of the motion response.

## **4. COMMUNICATIONS FROM CITY MANAGER**

### **4.1. Motion Responses**

In City Council, read, **Motion** "To accept and place on file" by C. Milinazzo, seconded by C. Mercier. So voted.

**(A) Motion Response - Hazardous Waste Day** – C. Mercier recognized schedule provided and that it be placed on the website.

**(B) Motion Response - Espinoza Dedication** – C. Mercier noted the repairs that were made and the dedication for the handball court was set.

**(C) Motion Response - TIF Agreement Expiration and Effect on Taxes** – C. Milinazzo requested further information on report. Conor Baldwin (CFO) commented on the agreements and how they operate to lessen residential tax burden. C. Elliott noted the need for new growth in the City and that these agreements assist with growth. **Motion** to refer to Finance SC by C. Milinazzo, seconded by C. Elliott. So voted.

**(D) Motion Response - Crosswalk on Fletcher** – C. Samaras requested explanation of schedule. Mr. McGovern noted the work that will be done in a short manner.



#### **4.1.1. Informational**

**(E) 2017 National Public Works Week** – M. Kennedy noted the dedicated week to Public Works. Ms. Demeo commented on the event and highlighted the importance of public works in everyday life.

#### **4.2. Communication-Appoint Philip L. Shea to Lowell Civic Stadium Commission.**

In Council, **Motion** to adopt by C. Mercier, seconded by C. Leary. Adopted per Roll Call vote 8 yeas, 1 absent (C.Rourke). So voted.

#### **4.3. Communication - City Mgr. request Out of State Travel (1) LPD; (1) DPD.**

In Council, **Motion** to adopt by C. Milinazzo, seconded by C. Samaras. Adopted per Roll Call vote 8 yeas, 1 absent (C.Rourke). So voted.

### **5. VOTES FROM THE CITY MANAGER**

#### **5.1. Vote-Auth Mgr. Ex. Limited Access Agreement 239.1 Jackson St. (Parcel 9).**

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Mercier, seconded by C. Leahy. Adopted per Roll Call vote 8 yeas, 1 absent (C. Rourke). So voted.

### **6. CONSTABLE BONDS**

#### **6.1. Communication - City Mgr. request approval for Constable Bond for Samuel Sok and David Small.**

In Council, **Motion** to adopt by C. Elliott, seconded by C. Leary. Adopted per Roll Call vote 8 yeas, 1 absent (C.Rourke). So voted.

### **7. REPORTS (SUB/COMMITTEE, IF ANY)**

#### **7.1. Economic Development SC May 23, 2017.**

In City Council, C. Samaras reported on the meeting noting attendance and discussion of East Merrimack Street condominium complex developed by Daly Construction (Dave Daly, President). C. Leary commented on need to review commercial tax structure and the importance of completion on bike trail on site. **Motion** to accept the report as a report of progress by C. Leary, seconded by C. Samaras. So voted.

M. Kennedy requested following Petitions (Item # 8.1 and 8.2) be bundled and taken as one with no objections. So voted.



## **8. PETITIONS**

### **8.1. Misc. - Iris Ramos request installation of handicap parking sign at 68 Elm Street.**

In Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted.

### **8.2. Misc. - Sunglim Shin for Armand Hutcheson request installation of handicap parking sign at 95-97 4th Street.**

In Council, **Motion** to refer to Traffic Engineer for report and recommendation by C. Mercier, seconded by C. Milinazzo. So voted.

## **9. CITY COUNCIL - MOTIONS**

### **9.1. C. Mercier - Req. City Mgr. provide report regarding poll results from downtown business survey concerning Lowell High School.**

In City Council, seconded by C. Leary, referred to City Manager. So voted. Molly Sheehy, registered speaker, addressed the Council. C. Mercier noted the information gathered from the poll and the need for the survey. C. Belanger noted part of prior motion and how the information will be useful. C. Samaras noted there were many opinions from downtown businesses regarding location of the high school. Mr. McGovern noted the survey was sent electronically this past week. C. Leary questioned the need for information if the high school moved out of the current area.

### **9.2. C. Mercier - Req. City Mgr. provide full detailed report regarding renovation work to Lowell High School in 1997; including spending breakdown of \$40 Million on which buildings and what was repaired.**

In City Council, seconded by C. Leary, referred to City Manager. So voted. C. Mercier noted this information should be included as part of information package regarding new high school.

### **9.3. C. Leahy - Req. City Mgr. have Verizon/National Grid/Comcast representatives meet with City Council in Council Chamber to discuss double poles, hanging wires and all around appearance of their equipment in the City.**

In City Council, seconded by C. Belanger, referred to City Manager. So voted. C. Leahy noted the problems still exist and are expanding. C. Leahy noted problem do not exist in surrounding communities and that there needs to be explanations from utility companies. C. Belanger noted it is a quality of life issue. C. Elliott questioned City



Solicitor of any legal maneuvers to improve the situation. City Solicitor O'Connor noted the protection by statute of utility companies but she can explore different options that may be available.

**9.4. C. Leahy - Req. City Mgr. provide report from Traffic Engineer regarding intersection of Dutton and Market Streets concerning pedestrian crossing.**

In City Council, seconded by C. Leary, referred to City Manager. So voted. C. Leahy noted it was a tough intersection and dangerous.

**9.5. C. Leahy - Req. City Mgr. explore possibility of locating the new high school in the Hamilton Canal District.**

In City Council, seconded by C. Leary, referred to City Manager. Adopted per Roll Call vote 6 yeas. 2 nays (C. Elliott, C. Milinazzo), 1 absent (C. Rourke). So voted. The following registered speakers addressed the Council; Armand Hebert; Helen Littlefield; and Noelle Creegan. C. Leahy recognized the divisive issue and there may be need for options and requested information on those options and the factors that need to be weighed in order to make a decision. C. Belanger commented on the Hamilton Canal District (HCD) noting he would support information gathering but noted that site may not be good fit. C. Milinazzo requested roll call on matter noting the motion was well intended but is contrary to established Master Plan for HCD. C. Mercier supported effort to seek information and listed questions that she would like addressed in the response. C. Leary noted support for information but was not supportive of the site. C. Samaras noted the need for the HCD to be a revenue source for the City and that he could support request for information but not the site. Mr. McGovern commented that there would be costs for further feasibility studies if required. C. Elliott noted no support for motion as each project has been on table for extended period of time and much work was put into establishing the Master Plan for the HCD. M. Kenned supported motion but noted that the site is no suitable.

**9.6. C. Leary - Req. City Mgr. instruct Skanska/Perkins Eastman create a schematic design for Lowell High School Options 3 and 4 prior to the June 6th City Council meeting.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. The following registered speakers addressed the Council: Armand Hebert; Ruth Potwin; and Onotse Omoyeni. C. Leary noted much false information is out in the public and that the information needs to be streamlined and accurate and that the negative rhetoric should cease so that healthy debate can ensue. C. Leahy questioned what information will be available for the vote. Mr. McGovern outlined information distribution plan. C. Samaras



noted project has become polarizing and that there is a sense of the need for more information. C. Milinazzo noted public information sessions to be scheduled. Mr. McGovern supplied dates of public presentations. C. Mercier requested written lists of such events be made available to Council and public.

**9.7. C. Leary - Req. City Mgr. review potential grant opportunities in order to upgrade the Christian Hill Reservoir ("The Rez") grounds in order to make the area a passive park; similar to other Lowell passive parks such as Tyler Park.**

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary commented on possible grant money to beautify the area. C. Belanger questioned if park could be part of replication plan for the State. Mr. McGovern commented on the plan.

**9.8. C. Leary/C. Elliott - Req. City Mgr. contact Lowell General Hospital (Circle Health) for the purpose of negotiating a PILOT agreement between the City of Lowell and Lowell General Hospital.**

In City Council, no second needed, referred to City Manager. So voted. C. Elliott noted the need to have such agreements as costs increase for running the City. C. Leary noted it needs to be explored as taxes continue to increase so there is a need to alleviate the burden. C. Milinazzo requested to be recorded as "present" on the roll.

**9.9. C. Belanger/C. Samaras - Req. City Mgr. have Inspectional Services inspect property at 53 Third Street for code violations.**

In City Council, no second needed, referred to City Manager. So voted. C. Belanger noted that a tour of the neighborhood identified the property. C. Samaras noted it was a neighborhood concern.

**9.10. C. Belanger/C. Samaras - Req. City Mgr. have proper department work with landlord of the building housing Ray Robinson Restaurant to eliminate graffiti on the site.**

In City Council, no second needed, referred to City Manager. So voted. C. Samaras noted the need to clean building as it sends the wrong message and you must stay ahead of the graffiti. C. Mercier questioned future use of the site.

**9.11. C. Samaras/C. Belanger - Req. City Mgr. have proper department repair the sidewalk at 478 Middlesex Street in front of Sizzling Kitchen.**



In City Council, no second needed, referred to City Manager. So voted. C. Belanger commented on the restaurant and the need to clean-up that corridor and let the businesses know of their responsibilities. C. Samaras commented on grant availability and that repairs must be made to dangerous conditions.

**9.12. C. Samaras/C. Belanger - Req. City Mgr. have proper department repaint the crosswalks on Bridge Street from Third Street to the Robinson School.**

In City Council, no second needed, referred to City Manager. So voted. C. Samaras noted future construction being done on street and that the crosswalks need to be made safer.

**9.13. C. Belanger - Req. City Mgr. provide a report regarding asbestos remediation, including costs, on the 1922 building as part of the Lowell High School project.**

In City Council, seconded by C. Elliott, referred to City Manager. So voted. Armand Hebert, registered speaker, addressed the Council. C. Belanger requested clarification of information as to avoid any mistakes.

**9.14. M. Kennedy - Req. City Mgr. instruct Traffic Engineer to analyze the feasibility of making Perry Street one-way.**

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted.

**10. ANNOUNCEMENTS**

None.

**11. ADJOURNMENT**

In City Council, **Motion** to Adjourn by C. Milinazzo, seconded by C. Samaras. So voted.

Meeting adjourned at 9:00 PM.

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Michael Geary, City Clerk